

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

October 24, 2005

7:00 p.m.

The Council and all in attendance recited the Pledge of Allegiance.

President Albier: "Would you call the roll Mr. Fisk?"

Clerk Fisk: "Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."

Councilwoman Pucci: "Here."
Councilwoman Brown: "Here."
Councilwoman Gallagher: "Here."
Councilman G. Frey: "Here."
Councilman Coyne: "Here."
Councilman J. Frey: "Here."
Councilman Albier: "Here."

President Albier: "The reading of tonight's agenda: Resolution 2005-16, Authorizing the Mayor to enter into a contract with the District Board of Health of Cuyahoga County for health services for the year 2006; Ordinance 2005-39, Inter-fund transfers and advances; Ordinance 2005-40, Authorizing the Mayor of the City of Brooklyn, Ohio to enter into a contract with the International Association of Fire Fighters Local 1145. However, I think that the appropriate time that's going to be tabled, because some things haven't been signed yet. We need approval of the minutes of October 10th; however we just received them tonight, so I think we'll put that off till the next meeting. And we'll now have the public session. Anyone that has anything to say for the good and welfare of the City of Brooklyn, please come forward and state your name and address. Okay, Mr. Adamski is coming to the podium, and he approached me before the meeting and stated he had a rather lengthy statement he wanted to make. However, we have a three minute limitation. So I advised Mr. Adamski he could speak for three minutes to start with, and then if there's anybody else that wants to talk, they can come up to the podium and he could have another change afterwards, and he'd be given an additional three minutes. So Tom, go ahead."

Tom Adamski: "Thank you. Tom Adamski, 9625 Melody Lane. Residents, Councilmembers, Mayor Patton, President Albier. I ask your indulgence in the few minutes speaking rule, and would need approximately 10-12 minutes at the podium. If I must be interrupted, then I request to speak afterwards. Brooklyn residents. Several years ago I enrolled in a Dale Carnegie course and learned the three S principals of public speaking, namely short, simple and sweet. My presence tonight, for the welfare and benefit of the community does not fit this mode. It is my intention to educate and forewarn city dwellers of inherent danger prevalent in our ever changing community, especially to 31 residents. I ask your indulgence in reading into the record a letter I disseminated to all Melody Lane residents, with carbon copies e-mailed to State Representative Dale Miller, who is present today, and State Representative Tim DeGeeter, advanced copy distributed to Mayor Patton and all department heads. Additionally, today I faxed pertinent information to Honorable Congressman Dennis Kucinich. October 17, 2005. Residents of Melody Lane. A few years ago I petitioned residents in having our street repaired and trees replaced. Once again, I call your attention to another serious matter that in my opinion should be of concern to all residents and I'm asking your support. Within the past five years, three houses have been sold, which are adjacent and near to my property at 9625 Melody Lane. The addresses are 9621, 9629, and across the street at 9640. The properties at 9621 and 9640 needs no explanation. The subject of my concern has been the property at 9629, west of my house. Presently the house has been vacated and abandoned due to foreclosure proceedings for approximately one month. Over the last year and one-half, myself and Mr. Paul Spera, who resides at 9633 have called City Hall complaining of the lack of maintenance around the perimeter of the house when the residents occupied the house. During that time they would allow the grass to grow over two feet tall, weeds over three feet tall, and that's no exaggeration, as there are pictures available to Congress, and I would ask Council to let viewing public see it after the meeting if possible. The front yard shrubbery was never touched and overgrown. On occasion, when the grass was cut, there was no clean-up and never edged. Weeds were prolific in the tree lawn and grass adjacent to my yard and the entire property line. Hedges in the back yard are over 12 feet tall and in violation of city ordinance. The vacated house and yard is an eyesore, deplorable and unhealthy condition. Throughout this period of time, Building Commissioner Tom Ockington has issued violation letters as required by city ordinance to comply. However, in the past six months the residents deliberately ignored the compliance. On Tuesday, October 11th I contacted Mr. Ockington that I was disgusted with the present condition of the yard, and was informed that the city had stopped service to

areas of this nature on Friday, October 7th. Furthermore, unless he had any objection, I was going to take action and clean up myself. Afterwards, I contacted Service Director Bob Kappler advising my intentions for record purposes. The electricity was shut off and I utilized my connection and equipment. While working in the front yard, building inspector Mr. Tumino arrived and I accompanied him pointing out several areas, namely intentionally cutting off the basketball hoop at the front driveway and laid it on the back patio, front steps cracked, front shrubbery and tree overgrown, downspout at the west corner runs to the outside ground and not the drain, tall weeds everywhere, oil spilled over half the concrete base on the back patio, back steps cracked, sawed the gas grill in the back yard that wasn't installed by them and taken, dripping oil filters laid openly in pails and rubbish cans, oily pads laid uncovered on the patio ground, oil rags and oil spillage in the ground by the shed, hedges overgrown, caulking on the perimeter of the house cracked and open, a fungus or mold contained in the recycling bin, broken glass and window pane back of the house, and more. I informed Mr. Tumino that if the city was unable, because of legalities in performing the necessary work, then inform Mr. Ockington to hire me as an independent sub-contract and I would cut the back yard hedges and overgrowth the next day. He stated that pictures have been taken during the interim period and a record documented over the last year. Furthermore, he would inform Mr. Ockington of my request. I labored nine hours at the house. On Wednesday, October 12th at 1:10 p.m. I left a voice message for Mr. Ockington requesting a copy of pertinent city ordinances and applicable ORC section regarding vacant/abandoned properties. On Thursday, October 13th I had a phone conversation with Mr. Ockington and was advised the city would not service the property until declared a nuisance. Thursday..."

President Albier: "Tom, 30 more seconds, then we will come back."

Mr. Adamski: "Well I'll have to come back and stop, because there's no way I can read this page in 30 minutes, thank you."

President Albier: "Does anybody else wish to speak? Mr. Miller. This is our State Representative Dale Miller, and he's going to bring us up to date on things that have been going on at the state level."

State Rep. Dale Miller: "Good evening Honorable Mayor, Council President, members of Council, and Brooklyn friends. I am very concerned about the high cost of heating, and I think a lot of people are going to have some very serious problems this winter. And I and many other legislators raised our voices in concern, and as a result of this, Governor Taft has released \$75 million in additional funds from the Tanif Program to help low income people with their heating bills. It will done through the HEAP program. And so I encourage anyone who might be eligible to apply. I would also bring to everybody's attention that Issue 1 is on the ballot. It was passed with overwhelming support from members of both political parties, and its largest feature is to renew the commonly called Issue 2 program for roads and bridges and sewer systems and water systems. This has been a good program for Brooklyn and so many other communities, and so I would encourage people to vote for that issue on November 8th. And I would also call your attention to the four reform issues, Issue 2 through 5. I think they do represent true reform in the election process in Ohio, and I support those issues as well. I think I'll close with that, and I'm pleased to be here and participate in your meeting this evening."

President Albier: "Thank you Mr. Miller."

Mayor Patton: "Thank you."

President Albier: "Is there anyone else that wishes to address the Council? Okay Tom."

Mr. Adamski: "Okay, and I thank you for your indulgence and patience. Continuing on the second page. Thursday, October 13th at approximately 1 p.m. I contacted Councilman Greg Frey regarding the futility and slow legal process in resolving the issue. Additionally, I requested him to visit the site and that I and other neighbors desired to voice their concerns. Mr. Frey stated he would immediately look into the situation and come within the next hour. Upon arrival Councilman Frey presented me with copies of the City of Brooklyn Codified Ordinances Chapter 531 entitled Nuisances; Junk Vehicles, and a letter from Building Commissioner Tom Ockington, addressed to me and dated October 13th. I read I in part. In part, the letter reads as follows: 'The criteria for determining if a public nuisance exists re defined in Section 531.01 and 531.05, and I...' meaning Mr. Ockington, '...determine that a public nuisance exists, the Fire Chief and Safety Director must concur.' In part, '...The city has a duty to only declare a public nuisance or unsafe structure in

extreme cases.' In part, 'My staff and I have inspected the above-captioned property on several occasions in the last year, and we have sent violation notices to the property owners on several occasions. On September 30, 2005 inspector Mr. Tumino visited the property and issued a violation notice and a high grass notice. Mr. Tumino re-inspected on October 11, 2005 and advised me that the property was not in compliance. I advised him to re-inspect on Friday, October 14, 2005, and if the violations were not corrected we would issue a citation to Mayor's Court.' That's an important part. I called Mr. Ockington's office and left a message that had I known this action was to be taken I would have left the yard in as it was condition. I commented to Mr. Frey that my good Samaritan actions should not interfere in issuing a citation to Mayor's Court as stated on Friday, October 14th. And I would ask Mr. Ockington later if that was done. The inherent disdain of the property owners at 9625 Melody Lane, in my opinion, is a blight, insult and black mark, not only to our residents of Melody Lane, but to the entire City of Brooklyn, who take pride in maintaining their property. People of this nature take advantage of the legal loopholes knowingly that the proceedings are time consuming, costly and slow. City Ordinance 1968-71, passed November 25, 1968, does not define a reasonable period of time for a violation letter to be issued or responded. Inflation is headed in double figures and presently there are 30 foreclosures in Brooklyn. City codified ordinances need to be strengthened in order to prevent future occurrences of this nature. Additionally, in the package I received was a copy of a letter from Stephen M. Bucha III, Chief Magistrate of the Court of Common Pleas, County of Cuyahoga, Justice Center, Cleveland, Ohio dated October 11th addressed to Mayor Ken Patton regarding the growing impact that the foreclosure rate in Cuyahoga County has had on the county's neighborhoods has had on the county neighborhoods, has become an issue of concern to the county mayors, county commissioner and the courts. On Monday, October 24th at 7 p.m. I will be addressing City Council regarding the above matter. Hopefully, I will see familiar faces from Melody Lane in attendance and possibly coming to the podium and commenting their viewpoints. Ordinance 1968-71, passed November 25, 1968. And I only will read part of it, as pertinent. Section one. Public nuisance defined, subparagraph A. By reason of being a nuisance to the general health of the community. Subparagraph B. By reason of being a fire hazard. Subparagraph C. By reason of being unsafe for occupancy or use on, in, upon, about or around the aforesaid premises. Subparagraph D. By reason of being a nuisance because of a long continued vacancy, lack of reasonable or adequate maintenance to structure, and/or premises adjacent thereto, thereby depreciating the enjoyment and use of property in immediate vicinity to such an extent that is harmful to the community in which such structure is situated. Section five. Refusal to obey order, etc, a misdemeanor. Any person who, being able so to do, shall refuse or neglect to obey a proper order issued by the Building Inspector hereunder, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$500 or imprisoned for not more than five days. Each and every day after the time specified in the notice provided in Section three hereof shall be deemed a separate and distinct offense hereunder. I'd like to read..."

President Albier: "Tom. You about ready to wrap it up or what?"

Mr. Adamski: "I have about five more minutes."

President Albier: "I can't let you talk for another five minutes."

Mr. Adamski: "Well people, I'm going to make the short part of it."

President Albier: "Just wrap it up, hit the meat of the subject."

Mr. Adamski: "It's hard to wrap up Mr. Albier."

President Albier: "Yes I know, but it's unfair though. I can't, I don't let other people talk that long."

Mr. Adamski: "Well... You made an announcement for the welfare and benefit of the community. I have two neighbors over here that I hope would come to the podium and also speak their comments. Briefly, the letter from Mr. Bucha to...and establishes what they call a fast track, designating, asking the city to identify the foreclosures, designating a person that would be responsible for point of contact, most likely Mr. Ockington. And this would be given priority, if not disputed, over and above those that are presently filed. I wanted to read, but I guess I'm being blasted for speaking my peace about this, but I would say to the residents, every candidate that has approached you or talked about this subject, that's the ...one of property maintenance, actions speak louder than words. If you have the Plain Dealer, on October 20th there is an editorial by housing Judge Raymond Pianka. I believe it's the vehicle that any conscientious resident should

go to City Hall and ask for receivership. For the record, I'm almost there Rich... For the record, there are 15,233 Chapter 7 bankruptcy filings. It's up 20% from last year 12,678. There's 3,691 Chapter 13 bankruptcy filings, up 11% from 3,337. In summary, it seems to me that more homes than ever are for sale. Neighbors must open their eyes and become involved. Join the battle in getting the word spread that Brooklyn residents or landlords will be held accountable. I would ask Council to allow any person to view the property pictures after the meeting. And just bear with me one moment. I would ask Mr. Ockington the following questions."

President Albier: "Tom... Tom, I have to cut you off."

Mr. Adamski: "Alright."

President Albier: "You've talked for like 15 minutes already."

Mr. Adamski: "Well people, see me after the meeting, because believe me, the element in this neighborhood is changing, and people better start opening their eyes, because if you have a foreclosed property next to you, you're in big trouble."

President Albier: "Does anybody else wish to speak? Please come forward and give your name and address."

Paul Spera: "My name's Paul Spera, I live on the other side of that house. What I'd like to know is, it's abandoned now, the bushes are like 12 foot high, the electricity's turned off. I have my lights on day and night now. I'd like to know what's going to happen, what kind of protection, because anybody could come in the back right through the patio doors of that house. That's my comment."

President Albier: "Okay. Anyone else? Wait a minute. Come forward to the mic."

Doug Massiger: "Doug Massiger of 9594 Melody Lane. And this is an issue, there's like four houses right there by my house that's going up for sale, and I want to make sure that we don't start having these problems all throughout the neighborhood. We got to keep the place cleaned, the value of our homes up. We don't want them dropping. There's already, they opened up Idlewood into Northcliff to go to the shopping center. Now everybody cuts through the neighborhood as a short cut. Ridge Park Square, people come in, they throw their trash all over the place. Yes, they have a maintenance crew. They try to keep it cleaned up. But everybody's throwing stuff all over the streets. You know, I try to keep my house very nice, most of my neighbors do, and we want it to stay a nice neighborhood. We don't want a bunch of trash moving in, we want to do something to stop these problems now, before it becomes a major problem. Thank you."

President Albier: "Thank you. Anyone else? Mr. Shaper."

Director Shaper: "I can wait till the Law report."

President Albier: "Okay, alright. I just want everybody to know, that on my agenda, and I think almost all of Council, that's their number one concern, is property maintenance. And I think almost every street has at least one house where they don't take care of it. The only problem is it all backs up at the county level. In the city we go through this constantly. We tell the county, well then put more people on hearing these cases. Instead of waiting three years to hear a case, they shouldn't be more than six months, in my opinion. So I think we have... The big problem lies at the county. The city can do, you can only do so much. And like with these homes, we've been to these homes, and how much is the city supposed to do? They cut the grass and they send them a bill. Well, are you supposed to start doing the shrubbery and start doing the windows and that? You know, where does that end? And you put a lien on the property for what you've done, and then if a buyer does come they see all these liens and they don't want to buy the house, and it seems like a vicious cycle. But I think it has to start at the county level. Mr. Shaper."

Director Shaper: "As long as you've opened that door I might as well continue from where you are. I received from the Commissioners the Commissioners' Report and Recommendations on Foreclosures. And one of the things that they talk about is, in 1995 there were 2,582 foreclosures. It's now in excess of 12,000. This report concerns recommendations at the county level. And let me tell you, there are a lot of other issues

that are going on here. If you're on the street and you see a house next to you that's in bad condition, that is the issue to you. And I've been in that situation, and I understand that's the only thing that you see. And when I'm in that situation that's the only thing I see. But let me also tell you, there are private property issues. And you're not going to have me advise anybody to go on adjacent property next to them without getting the consent of the owner or the owner's agent to do that. On one hand you're a good Samaritan, on the other hand you're risking your life. And that's not an exaggeration. You don't know today what's going on when you go on private property. I applaud the fact that somebody wants to do it, but the city is not endorsing that today. I hope I am speaking for the whole city as an entity. If you can get the owner's permission to do such, as infuriating as it, and you wish to do that, that's a different matter, that's between you and the owner. We work, the Council works, the Mayor works, the whole administration works a lot of time on drafting ordinances and drafting resolutions. Most of the time when you're dealing with property, if you're dealing with 95% of the people, there's no need to draft these ordinances and resolutions. People take pride in their houses. The house is what you put your money into. The house is what your life is based around. These ordinances are drafted for the minority of people that don't adhere to standards that a reasonable person would adhere to, and it becomes necessary to draft the ordinance. Now you draft the ordinance, and you have teeth, that you have the ability to impose fines and do stuff. But the reality of a situation is when a house goes into foreclosure, you can be sure, in most cases, not everything is going well in that person's life but for the house. I'm not telling you therefore you feel compassion for the person. What I'm saying is, the leverage that you have in imposing a fine here or there, compared to the fact that this guy's losing his house, this guy already is likely out thousands of dollars, and if he isn't fixing his house because his bank's foreclosing on him, or something else, the fact that we cite him very likely is not going to be what pushes him over the edge to do it. Now as complicated as that is, once it enters into the bankruptcy court, the bankruptcy court issues what they call a stay. For all other actions that are going on, in municipal court, in common pleas court, they're no longer there. They're now brought into the confines of bankruptcy court. Bankruptcy court is going through changes. You've probably heard about it on the radio that the laws between debtor and creditor have changed. And there has been a crash of filings... There are bankruptcy attorneys... If you go to a bankruptcy attorney weeks ago, months ago, they'd do anything to get you into their doors. They're not even taking clients at this point because it's so backed up. That's going to be a back-up on the court. And you add to this the fact... If you go through the Commissioners' report, this is not unique among Brooklyn, this is not unique among Cuyahoga County, this is the realm of what is going on in what has been termed the rust belt cities. Which is not a term that I like to hear, but it's a term that has been labeled upon us. There is a bad situation going on here. But I can assure you that a week does not go by that I do not hear from the Mayor, let's do something about this. The Mayor is committed to doing something about this. I get a call from a Councilperson at least every week about something regarding our housing stock. That is a priority to everybody, no matter what side of the political spectrum they're on, or anything else. There's no mileage for anybody in saying we don't care about the houses. The houses is what the city's about. And it's not lost on everybody that I work with."

President Balbier: "Thank you Mr. Shaper. Does anyone else care to speak?"

Mr. Spera: "I understand what Mr. Shaper is saying. Now, if I wouldn't have trimmed shrubs for two years, all the way up their driveway, and their hedges, it would have been a fire hazard. Now you say that I'm taking my life in my hands doing that? I mean, what is my alternative?"

Director Shaper: "That's an excellent question, and I respect that question. When you have matters of safety concerns, specifically safety... Now there was an issue there about the gas. If that gas were on, we do have the right to come in there and take actions. And if you have a situation such as that, there might be something going on. As Law Director, I have to look at the worst situation that can happen. You are, as a person, can make decisions for yourself. I cannot tell you that the city is advocating you go on private property and do it. Nobody came out and cited you for going on private property. I'm not sitting here saying if you do it you're in trouble. I'm saying to you, if you're going to do it, you're making your own decision. And I just want you to understand that from my position, from being with other law directors and dealing with prosecutors, crazy things happen. And I don't want somebody walking out of this meeting and saying the city told me I should do x, y and z. I have compassion for that. I've lived next door to a person who left their dog out in zero degree weather, and I couldn't do anything about it. And I moved. That was my solution. Because, and I'm not advocating that's a good position for you, and I'm not sitting here saying you're a bad person for doing what you did. Contrary to the fact, if I step aside over here and I'm not the Law Director... thank you for doing that. When I'm in these colors, what do you think I'm going to tell you?"

President Balbier: "Okay, thank you. We're going to deviate a little bit from the program, the Mayor has a proclamation he would like to give."

Mayor Patton: "I'd like to honor a Brooklyn resident, Peggy Palumbo, this evening. Peggy, could you come forward. A very special young lady in our audience here tonight. It's a Mayor's Proclamation to honor and recognize Peggy Palumbo on her induction into the Ohio State University O Athletic Hall of Fame. Whereas, Brooklyn resident Peggy Palumbo was inducted into the Ohio State University O Association Athletic Hall of Fame Class of 2005 to honor her lifelong dedication to athletics. And whereas, Peggy's love of sports was influenced early on by family members, and she eventually went on to play field hockey and basketball at the Ohio State University, and captain of the 1960s undefeated basketball team, earned co-coach of the year in 1980, and was part of a lifetime physical education program at Lincoln West. And whereas, Peggy's contributions to women's sports include referring, basketball and volleyball, was the chairperson of two successful basketball clinics, a pioneer in helping to establish the girls interscholastic sports programs for the Cleveland Public Schools. and became an advocate for the equal treatment and awards for female athletes. Now, therefore, I, Mayor Kenneth E. Patton, and on behalf of the City of Brooklyn Council and the citizens of the City of Brooklyn, do hereby send heartfelt congratulations to Peggy Palumbo on her outstanding achievements, dedication and contributions to women's athletics. You are to be commended. Congratulations."

Peggy Palumbo: "I'd just like to say thank you very much, and I sympathize with those gentlemen that were up here before. And thank you very much to the City of Brooklyn."

President Balbier: "Okay, we'll now move onto reports from committees, commissions and boards, and the first one is the Public Works Committee, and that's chaired by Mr. Greg Frey."

Councilman G. Frey: "No report Mr. Balbier."

President Balbier: "Thank you Mr. Frey. Next is the Public Safety Committee, and that's chaired by Councilperson Kathleen Pucci."

Councilwoman Pucci: "No report this evening."

President Balbier: "Thank you Mrs. Pucci. Next is the Planning Commission, and that's chaired by Mr. John Frey."

Councilman J. Frey: "No report."

President Balbier: "We're moving right along here. Next is the Rec Board, and I'm the chairman of that, and I do have a report. We had a meeting on October 17th, and part of, the Manager of the Rec Board gave us this update. That the learn to swim program is so successful it has a waiting list. The learn to skate program has 101 residents signed up and 136 non-residents, for a total of 237. The water's been shut off at all the parks for the winter, and there's security cameras now being installed due to some thefts that were in the parking lots this summer. So we're installing security cameras inside the Rec Center and the outside. And I'm sure she'll be giving you some more information once it's her turn to report on that Rec Board. Next is the Finance Committee, and that also is Mrs. Kathleen Pucci."

Councilwoman Pucci: "Thank you Mr. Balbier. The Finance Committee did meet earlier this evening and approved the following legislation. Resolution 2005-16, which authorizes the Mayor to enter into a contract with the Cuyahoga County Board of Health for the year 2006. And this is at a cost of \$38,813. Ordinance #2005-39, which is a transfer ordinance. This just transfers from the General Fund \$35,986 into the Safety Forces Construction Fund, which is for the fire station. Ordinance #2005-40, which is the contract with the firefighters, is going to be tabled. It's not signed yet, and apparently there are some language items that need to be clarified. We also received a copy of the minutes from the weekly fire station meetings that are taking place. Our construction manager is in the process of analyzing the bids that came in for the rest of the trades. And because we have three weeks before our next Council meeting, we will be calling a special meeting to award those bids. We also received from Mr. Fisk a Disaster Recovery Plan as it pertains to the information systems of the city. We also learned that we did purchase the next part of our software package,

and starting next year we're going to be having automated purchasing, which will mean that we're phasing out the paper purchasing system. And by June all departments should be on board. I believe that completes my report, thank you Mr. Albier."

President Albier: "Thank you Mrs. Pucci. Next is Domestic Violence and Legislative Update, and that's chaired by Mrs. Gallagher."

Councilwoman Gallagher: "Thank you Mr. Albier. I have an update from State Representative Tim DeGeeter, and it's about his Medicare RX new prescription drug coverage begins January 1, 2006. Registering early could save you time and money. Medicare recipients will soon be able to take advantage of a new prescription drug plan. Although the effective date is not until the first of the year, you will be eligible to register for benefits in mid-November. So I want to take a few minutes to share some facts on the new important prescription plan. Medicare RX provides you with insurance coverage for prescription drugs, paying for both brand name and generic drugs. It offers a choice of plans for beneficiaries. Sign-up starts on November 15th. If you sign up between November 15th and December 31st you're coverage will start on January 1, 2006. Some time next month you should receive a Medicare and You handbook in the mail that will provide valuable information on how to sign up for the program. The information contained in the brochure will help you find out if your prescription drugs are covered in the new plans. It also will tell you which pharmacies in our area accept the drug plan. All individuals who have Medicare part A, part B, or who are enrolled in Medicare Advantage plans are entitled to the new Medicare prescription drug benefit. This new prescription plan is expected to change the landscape of prescription drug coverage for eligible Medicare beneficiaries for two reasons. Government officials anticipate a substantial cost savings that will make beneficiaries' prescription drugs more affordable. And it will provide them with access and choice to the prescription drugs that they will need. In order to choose the right plan for you, please determine what monthly fees will work best for you. If you sign up after December 31, 2005, your coverage will not start until the month after you sign up. Please note that May 15, 2006 is the last day to sign up in 2006. If you don't meet this deadline you will have to wait until November 15th of 2006 to enroll, and you may end up paying higher premiums.' And also, he has another thing. It's that, 'Identity theft is one of the fastest growing financial crimes. It costs consumers thousands of dollars each year to restore their credit. Not to mention all the time spent trying to clear their name. Ohioans need more protection. After hearing personal stories from several residents in the 15th District, I realize Ohio is leaving consumers vulnerable to those who prey on our personal identification. In an effort to arm individuals with an important weapon in the fight against identity theft, I have proposed House Bill 339, a Consumer Protection Bill, that enables Ohioans to place a security freeze on their credit files, thus making it harder for potential thieves to access this vital information. The security freeze helps consumers to stop thieves from getting credit in their names by locking or freezing assets to the consumer credit report and credit score. Without this information, a business will not issue new credit to a thief. A security freeze prevents identity theft and credit fraud, because it is based on a pin code system established by the consumer or identity theft victim. When the consumer wants to get new credit they can use the pin to unlock access to the credit file. Ohioans currently can sign up for a fraud alert from credit bureaus, but consumers have no way of knowing if this is working, and creditors aren't required to abide by or even check the alert. I believe my legislation offers some proactive solutions for all Ohioans. Ten other states have already passed credit-free laws and 17 are working similar legislation. Some stated only allow the security freeze for those who have already had their identity stolen. However, House Bill 339 would offer the protection to all consumers. As legislators we need to help people protect themselves before they become a victim.' That completes my report."

President Albier: "Thank you Mrs. Gallagher. Next is the Zoning Board of Appeals, Mr. Ockington."

Comm. Ockington: "I have no report, the meeting was rescheduled in November."

President Albier: "Thank you Mr. Ockington. Next we'll go to reports from Council, and the first one is Mrs. Pucci."

Councilwoman Kathy Pucci: "Thank you Mr. Albier. First I'd like to say a few words about the 50th reunion concert this past Saturday evening at Brooklyn High School. As many of you know, this commemorated the 50th anniversary of the concert where Elvis Presley performed at Brooklyn High School. And it was really great. I just want to congratulate the community members who worked since last year to make this a reality. I know there were many people, but I want to mention Denise Hudak, who headed this

dedicated group. They thought of everything. They included past students. And Mr. Balbier was one of them. So was my uncle. They were part of the 'I was there' group, and they had name badges and everything. And I think, did you... No, the pictures were the program, your high school pictures?"

President Balbier: "It was on the ID too..."

Councilwoman Pucci: "Oh, the ID."

President Balbier: "...when I was 14 years old and 100 pounds less."

Councilwoman Pucci: "They had, and I know that they were all excited to be, you know, made a part of this anniversary celebration. They auctioned off a visit to Graceland, and sold memorabilia and souvenir t-shirts. All the profits from this event will support the music and drama programs and the Brooklyn schools. They had a great turn out, the music was terrific. And I was really shocked, because the Comets were, of course, from Bill Haley and the Comets, and they, every single one of them are the original members that were actually here 50 years ago. They range in age from 71 to 84 years old, and it was unbelievable. They played the longest of all the groups, they sounded the same as they do on their records; and I think we should all hope that we have that much energy when we're that age. It was a great time for everyone, and good PR, not only for the schools, but the entire city. It was in the Plain Dealer last week. There were some interviews on National Public Radio. And that night, I think it was on the 11:00 news on every channel. So I just want to thank and congratulate everyone who worked so hard to pull this together. You really did a great job. Mayor, regarding the candidates' forum on November 3rd, are people going to receive information about it? Because some candidates weren't aware of it. I think it was only mentioned at the Council meeting."

Mayor Patton: "No, I announced it last meeting, I'm not contacting anyone. The floor is open to anyone running for an office. So you'll have three minutes. The first part of the meeting will be about explaining the different issues, especially the state issues."

Councilwoman Pucci: "Okay, thank you. I attended a Master Plan Advisory meeting last week, and just to update our residents, the committee is in the process of reviewing and finalizing the plan. We will meet in November to continue that process, and then there will be one last public session for our residents, and that will be scheduled after the holidays in January. After our last meeting I had an opportunity to speak with Mrs. Weiland from the County Department of Senior and Adult Services, and we discussed the Benefit Checkup Program. This is a program that can help older and disabled persons learn and apply for more than 70 programs at the federal, state and local level. Prescription programs... I've got a list here, she sent me a pamphlet. Health care benefits, property tax discounts, home energy assistance programs, financial assistance, telephone discount programs, housing assistance, legal services, home support services, nutrition programs, and senior employment services. And basically, it's just a one-stop place where you can input some information, and it will tell you what you're eligible for. Mrs. Weiland was originally trying to schedule this program at the Brooklyn Library; however, I'd like to see if we could get this done right in our Senior Center. There are already 12 suburban senior centers that offer this service. I do have a call in for Mrs. Weiland, and when I hear back from her I'll contact Mrs. Hutkay. But basically it's a web-based program for adults 55 and over that was developed by the National Council on Aging back in 2001. By completing the benefits checkup questionnaire, seniors can quickly identify assistance programs for which they may qualify. It's also a great tool for long distance caregivers. They can complete the questionnaire for loved ones who live in another state, since the Benefit assistance programs are identified by zip code. Once you've finished the Benefits Checkup questionnaire, you can print a customized report that lists the Benefit assistance programs which you're most likely to qualify. The report will also describe each individual assistance program, explain how to apply, and list the documents you need to bring when you make the application. Chief Murphy, thanks for getting back to me on the issue of the traffic light at Memphis and Dawncliff. And I will get back to the resident who called me; but since this is going to stay how it is, would you mind just very briefly explaining to the residents what's going on with the lights on Memphis?"

Chief Murphy: "I explained it before, but, this program was a grant from 1995 that was sort of a surprise to us that it came through about two years ago. It ran from Pearl Road to Linndale, which means that all the lights were, are supposedly in sync from Pearl Road to Linndale. Now, we do not have control over these lights as of yet. I'm sure that the timing on these lights are from 1995 vintage. And the two lights that we are, once we get control, which will be, I believe we have a meeting on November 1st, the engineer's coming

here to turn over the computer, two of the lights will be changed to actuator only or push button, which will be the light out in front of the Police Station and the one in front of the existing fire station right now. The rest of the lights are probably going to stay exactly how they are. Dawncliff and Memphis, in the past, has had a quick release on the actuator, and actually the people were getting used to just rolling over the actuator and the light changing immediately. Some of them didn't even slow down because they knew the light was going to change. That will no longer be the same. That's it."

Councilwoman Pucci: "Okay, thank you very much Chief. Also Chief, I received a call this afternoon about problems that residents on Brookwood are having with teens who apparently live in the Terraces vandalizing their property. And I understand that police reports have been filed, and I was made aware of a couple residents who they themselves have contacted the management of the Terraces. And they said that this has been off and on for about a year now. Do you know if we, like the Police Department has contacted the Terraces, and if we can somehow get this resolved?"

Chief Murphy: "Well we'll look into it and see what we can do."

Councilwoman Pucci: "Okay, thank you, I appreciate it. And thank you Sandy Balzer for getting me the information I needed. Regarding the quick oil change facility that was literally dropped onto a lot at the corner of Ridge and Flowerdale, I first noticed it actually just after the crane had dropped the building down onto the lot. And even though I knew it was in Cleveland I contacted Mr. Ockington, who wasn't aware of it, but he did go over there to see what he could find out. And thanks Mr. Ockington for your efforts. I then received some phone calls from residents who live in the area. So I did contact Cleveland to see what I could find out, and I also was interested to see if they were granted any variances, since it was such a small lot. There was a slight variance. That lot is, and keep in mind that Cleveland's zoning is much different than our City of Brooklyn's own zoning. It's local retail and they received a variance to go into general retail with an amendment to allow this facility. Basically, when they were looking into this, they said that they did contact Brooklyn to see if Brooklyn had any comments or objections, and didn't hear anything back. They also did send notices to the residents in Brooklyn, which would be the two houses on Ridge Road that are directly adjacent to it, and they did not receive any response. Basically Cleveland originally killed this project because they didn't want it there; however, they found that the owner of the property was heavily promoting this piece of property, he wanted to sell it. And under local retail they could have had a convenience store or a bar or some other facility that would have actually generated a lot of traffic. So the residents did contact the Councilman over there, Kevin Kelly, to, they wanted to work something out so that they didn't have a business that had high volume traffic. So the Cleveland residents who were contacted, even though they weren't thrilled about this, saw this basically as a lesser of two evils, because they did not see this as a high volume business. They also reviewed the environmental record of the company, and they were ranked very highly by the EPA. There is another such facility in Collinwood. And Kevin Kelly contacted the councilman in Collinwood and he indicated there were no problems with them. So even though the City of Cleveland did have the ability to stop this particular business, they could not have stopped those other businesses that would have generated a lot more traffic. I do have some concerns about if there is traffic coming southbound on Ridge, if they're trying to make a left hand turn in this facility I think we could end up with, you know, some problems, depending on how much traffic they actually do generate. They're hoping that most of the customers will be northbound and turn in. So I think the traffic is just something we're going to have to watch. But Brooklyn, you know, since it is a piece of property in Cleveland, we didn't have a whole lot to say about it. Thank you to Representative Dale Miller for being here this evening, we appreciate your presence. Dale did a fine job of representing us, and then unfortunately, with the change in the District, was no longer our Representative. However, I know you still do a fine job representing our interests, even though you're not officially our Representative. And hopefully after next year he will represent us once again, because Dale's going to be running for State Senator to replace Dan Brady, who's going to be term limited out. To the residents, Mr. Adamski and the residents of Melody Lane, we do sympathize with you, and I think as a city we're doing everything possible that we can do. With the foreclosures there aren't a lot of options. I don't know if there's anything we can look at at the state level to change some of those laws; but basically at a city level our hands are tied when it comes to the foreclosures. We are finalizing the rental license ordinance, which will address problems we have with rental property. Mr. Shaper answered one of our questions we had, and I've already spoken with Mr. Ockington, and we're going to meet before the next Council meeting to review each aspect of the ordinance to make sure that there aren't any more obstacles. And congratulations to Mrs. Peggy Palumbo on being inducted into the Hall of Fame. And Mr. Balbier, that completes my report, thank you."

President Balbier: "Thank you Mrs. Pucci. Mrs. Brown."

Councilwoman Rita Brown: "Yes, thank you Mr. Balbier. I wanted to express my sympathy and the sympathy of the City Council to Judy Basniak who's mom has passed away. Please keep her in your prayers. And oddly enough, Chief Murphy, I received a call from the same resident about the light. And now I can understand, when I listen to your explanation, I see now how we had a problem, and how actually the people on Dawnciff and that area actually abused that light by just zooming through it. So now they're going to have to learn to be a little bit patient, just like the rest of us at all the lights. And I'm sure our residents will get used to it in a short time. And Mayor, the animal group, which I'm part of the advisory board, that's what I'm allowed to be, has the opportunity to make a really good deal on some cages. Not quite sure about the whole deal, but these are top cages. And whoever is selling them, we can get them at a terrific rate, a terrific discount. The only problem would be where to store them until our facility is ready where we can put the cages in. Is there anything wrong, and I say wrong, with our storing them in the old library?"

Mayor Patton: "I think Mr. Shaper could answer that. Do you want to wait till your report or do it now?"

Director Shaper: "I'll do it now."

Mayor Patton: "Alright."

Director Shaper: "Rita, whenever I get a question like this, my first call is always to Ben Sutton. Ben Sutton insures the city, or he doesn't insure the city, Ben Sutton is the consultant who advises on our insurance matters. Because sometimes when you try to do the right thing, if you do things that raise your premiums, or you, you're taking on liabilities. I expressed to Ben that the Mayor wanted, working with the Council, that we've been working with this group. Ben had two concerns regarding this. One, that if we were to do it... First of all, Ben will always advise me not to take on a liability; but if you are going to take on a liability, which it is, you become what in essence is a bailee. That they give you the cage, and you have to, one, get a release so that any damage that occurs to the cage is not the city's responsibility; and two, if the animal shelter has got their 501.c.3 status, or has an entity, it would be advisable to ask them to insure their contents. And Ben would like to see what, just in case there's damage... Once again, I am paid to look out for the City of Brooklyn, and I want to make this work, and it should work, so the answer is a qualified it can be done, but it's not simply a matter of drop it off here and it goes in."

Councilwoman Brown: "Okay. I thank you very much for that. And if there is any way I will take the response... In fact, Mrs. Palumbo is here tonight, and I'm sure she heard your response. If there's any way we can take advantage of this terrific buy... We'll work at it. Thank you for your concern. Okay, we have that one. And Mr. Adamski, please don't be unhappy with Mr. Balbier. He was more than generous with the time that he gave you to speak, because he is responsible to uphold the Council rules. And as you know, our rules are three minutes, and then he extended it to, nobody else spoke, to another three minutes, and he even extended that for you. I know you have a... Melody Lane, I really feel sorry for Melody Lane. But Mr. Balbier was right, just about every street in Brooklyn has a home like this. I have one right across the street from me. Now our grass cutters have cut the grass twice, but the weeds and overgrowth, and everything that you are concerned with, this house inside is cluttered. It's a fire hazard. But our hands are tied. And the poor neighbors, I'm at least across the street. This house is surrounded by two neighbors who take good care of their homes, and they have this monstrosity parked right in the middle of them. I don't know who owns the home now, I think the bank owns it. And all you see is a hanging gutter, weeds all over, weeds and grass growing up in between the sidewalk slots. I don't have, I didn't get any reports of gas lines, I sincerely hope the gas is turned off in that, and they don't expect an explosion there. But it's a problem. It is a problem, and we are trying our best to work on that. And any input you have for the city, we appreciate. And you are, the residents are the eyes and ears of our city. Our Council can't be at everywhere. We don't see everything that happens. Our inspectors, our directors, don't see everything that happens. So we depend on you the people to let us know. And many of you do, let us know when something is wrong. But Council's hands are tied. We are legislators, we are not administrators. So we may come up with something, and we may even make a law. It doesn't mean that that law is going to be respected and acted upon. And we cannot force it, because we are only the legislators. Well that's enough of that soapbox. I believe that completes my report, thank you."

President Balbier: "Thank you Mrs. Brown. Mrs. Gallagher."

Councilwoman Colleen Gallagher: "Thank you Mr. Balbier. Good evening ladies and gentlemen. I'd like to thank Mr. Adamski for providing the information regarding the abandoned property at 9629 Melody Lane. Vacant properties belong in the top of the list of things most likely to damage our neighborhoods. And empty house decreases surrounding property values, reduces tax revenues, raises municipal costs, and attracts crime. We the residents first must understand the scope of the problem. The problem is that properties that are vacant and abandoned and making their way through the foreclosure process have a negative impact in our community. Cuyahoga County, as Tom said, had a log jam of 12,000 foreclosure cases in Common Pleas Court. A state law has been proposed to allow counties to re-route foreclosures of abandoned property from the courts to the Board of Revision. The Board could quickly get the property to cities or non-profit corporations, maybe for pennies on the dollar. In the meantime, Cuyahoga Common Pleas Court, which handles foreclosures, is not able to immediately address all files that are submitted for judgment. To help alleviate the problems caused in the neighborhoods by these vacant and abandoned properties, as Tom said, a fast track is being created for properties that are identified as vacant and abandoned by the city in which they are situated. Once the court is notified by letter from a city official that a property is vacant and abandoned, a notice to all parties in the case will be generated, informing the parties of the representation by the city that the property is vacant and abandoned, and allowing the parties to challenge the designation. If no parties challenge the representation by the city, the file will be marked to indicate that it involves a vacant and abandoned property. When the file is presented by a creditor's attorney for judgment, the file will be set immediately for review by the assigned magistrate ahead of those files that concern a property that has not been identified and vacant and abandoned. You know, today, or a couple days ago, I was, you know, on the internet trying to find out problems in other cities, and one thing I found out, and this was very interesting, it's a lack of basic knowledge. Few cities can accurately answer what would seem to be the most basic questions. What is a vacant property? How many vacant properties are there? And a couple days ago or last week I talked to Tom, and he wasn't sure how many vacant properties. And where are the vacant properties in the community? This severely restricts the ability of municipal governments to make informed judgments about where to spend scarce resources for redevelopment projects. It also limits the ability of neighbors and perspective home buyers to find out what homes are abandoned and who owns them, and how long they have been in that condition. All communities must begin by understanding the problems, the inventory in their community. Too few committees have this type of information available for either the general public or even other municipal departments. And I would like to hold a workshop meeting, and the reason why is I'd like to look at in the future of finding out how many vacant properties we have, where they are located, and trying to maybe strengthen our ordinances in the future. So if we can do that in the near future I would appreciate it. And I just want to congratulate Peggy Palumbo on her induction into the Ohio State University Hall of Fame. And Dale Miller, thank you for your update. You do a great job, and you've always been hard working for us, and I appreciate that. That completes my report."

President Balbier: "Thank you Mrs. Gallagher. Mr. Greg Frey."

Councilman Greg Frey: "Thank you Mr. Balbier. I too want to talk about the property maintenance for a minute. And Mr. Adamski, I appreciate you bringing to the Council's attention the situation of Melody Lane. Melody Lane's a beautiful street. They're very nicely manicured lawns and flower gardens, brick ranch homes. Very nice. And then in the middle of the street you've got a house that is in decline. Okay, seriously in decline. If it wasn't for what Mr. Adamski did it'd be more seriously in decline. But the problem is bigger than that, okay? We've got a multi-faceted problem here. There's the foreclosure angle, and you know, maybe some of that has to do, Mr. Miller, with predatory lending and those kinds of issues down in Columbus. And maybe you can make people aware that, in the communities, we're having a problem with that kind of stuff, okay, and we really expect whatever help can be had to be given to us on it. We want to save our neighborhoods. Sometimes it's a matter of people either don't have the inclination to take care of their property, they don't have the resources to take care of their property. Perhaps they've reach an age where they can no longer keep up with their property. It's a multi-faceted problem. We need to address it that way and find some solutions for a variety of issues that come up in regards to property maintenance, okay. And, you know, I don't know how you do that. Maybe we ought to form a committee of our relevant departments and some members of the Council and some members of the community to kick around, how do you do this. Ivan Dockery should certainly be a part of such a thing, he's an advocate of better neighborhoods. We all need to be advocates of better neighborhoods. We can deal with this problem over

time, but it's going to get worse for us. And Mr. Adamski told me the other day that he thought there were 30 homes in foreclosure in Brooklyn. Now I don't know whether that's true or not, I can believe that number. If it is, I suspect this time next year there'll be 50 homes in foreclosure. There's a lot of people going to get squeezed in the next year, either because of the bankruptcy law changes that just occurred in October or because of winter heating bills that are going to push people over the edge, or because increasing interest rates on their adjustable rate mortgages are going to through them over the edge, they're not going to be able to make their home payment. So we're going to have an ongoing problem. We know about it now, we need to start making plans to address the situation before it rolls over us. If we get at it, one house at a time, one neighborhood at a time, and keep on top of it, you know, maybe we can save our neighborhoods a little better than some others. So I hope we do that. And the other thing I'd like to bring up tonight. Election Day is November 8th, and there is an issue on there, Issue #7, the mental retardation issue. This is an issue that addresses the needs of those people in our county that are really unable to do a lot of things for themselves. They need our help. They try very hard. We have a support system in place for them, and they do a wonderful job. We have a facility right here in Brooklyn, the SAW workshop down on Memphis Avenue. They do a marvelous job. Their main source of funding, perhaps, well, their main source of funding at the local level is Issue #7. They need that. If it goes down, they close their doors. A lot of people would be affected adversely, and these would be people that aren't able in many instances to take care of themselves. So I ask you to please consider voting for Issue 7. I'll vote for it. I'm sure all the Council will be voting for it. And we urge you to vote for it. And I think that's all I want tonight Mr. Balbier."

President Balbier: "Thank you Mr. Frey. Mr. Coyne."

Councilman Tom Coyne: "Thank you Mr. Balbier. Good evening residents. Thank you Dale Miller, State Rep., for your comments; and to Tom Adamski and his neighbors for their comments on the problems on Melody Lane. Congratulations to Mrs. Peggy Palumbo on her induction. And in Sunday's Plain Dealer there was an article on the consumer's guide to residential natural gas rates, a hot topic nowadays with the cold weather coming up. Those of you that are interested in trying to find out some comparison, this is a quick and easy way to look in yesterday's Plain Dealer. It shows in the paper that Dominion East Ohio is the low one, according to what they have listed here, at 12.95 per million cubic feet. And it goes up to Shell Energy at 17.95 per million cubic feet. And there's several companies named in that article in the Plain Dealer. Many candidates, as we all know, are campaigning for the upcoming election. I listened to a campaign speech given by school board candidate Judy Basniak, who is here in the audience, and she professed her concern over the crosswalk at Biddulph and Williamston. Mrs. Basniak discussed having a crosswalk light put up. I'd also like to see either a light or even one of those new signs that have been put up alerting drivers to the upcoming crosswalk. I've driven past this area, as many of our residents have, many times when school is beginning, and many drivers don't stop for the students since there is no crossing guard at this location. In the absence of a street light or some kind of warning sign, I'd like to ask Mrs. Gallagher, being the Safety Committee chairman to check into this and see if she can come up with some ideas at one of her committee meetings."

Councilwoman Gallagher: "Mrs. Pucci is the chairperson, Tom."

Councilman Coyne: "Oh, I'm sorry, wrong one."

Councilwoman Gallagher: "I've been there long enough."

Councilman Coyne: "You were there so long I forgot. Linda Basniak, Bazak from Cancer Society Relay for Life, those meetings are starting up again, I've been involved in that since the start in Brooklyn, and she wanted to let everybody know that we're going to start recruiting teams again. The meetings will begin next month for the 2006 Relay for Life in Brooklyn. And anyone who is interested should contact her or the American Cancer Society. As Mrs. Pucci spoke about earlier this evening, for those who missed the past Saturday night at Brooklyn High School, you missed a fabulous memorial show honoring the 50th anniversary year of the appearance of Elvis Presley, a relative unknown at that time, who, along with Bill Hailey and the Comets and the Four Lads, were on the new Brooklyn High School auditorium stage. The show was outstanding, cumulating with an hour's long non-stop finish by the Comets. This is a group, who Kathy had said, now range in age from 71 years to 84 years. And if you could have seen them performing, non-stop on that stage, it was amazing. I hope all of us can be as full of energy as this group is at that age. I wish that I could have been here for the original show in 1955, but I was serving with the U.S. Army in

Germany at the time. I thank all the members of the TCB group who were putting this on, and Brooklyn residents, especially Diane Hudak, who made this a reality. And I understand that they accomplished what they set out to do. Thank you to the Service Department employees who finally repaired the broken asphalt on the locations on Tiedeman. These are the three utility cut-outs that have been out there for a long time and have been in bad shape for a long time. Mayor, I can't understand how it took you so long, as a long time Service Director, to allow this condition to exist before it was finally repaired. I mean, there was a lot of damage to a lot of cars, our residents' cars, going over this very rough road, and the costs of the repairs was very little compared to the damage to vehicles. And that's all I had."

President Balbier: "Thank you Mr. Coyne. Mr. John Frey."

Councilman John Frey: "Thank you Mr. Balbier. And thanks for coming Dale. I'm sure you do a very good job for us, you've been running a long time, I hope you stick around. And to the people on Melody Lane, I have nothing but compassion for you, because I too see these properties that aren't maintained, and I've been after them for years, and it takes years to get anyone to do anything and to find the people that own it. We finally found one on Outlook that we've taken care of, but that's hard to do, takes a long time. And I'm not running for office, so I'm not going to have anymore to say. I will leave it up to the candidates to do the speaking. So thank you for all coming and supporting Tom Adamski. It's good that the neighborhood gets together and supports somebody that's having a problem in the neighborhood, because a lot of times people come here with a problem, but they cannot get their neighbors to follow and follow them at the podium or at least to come up and support them. And I tell a lot of people, you have complaints, the best place to get something done about it is come to a Council and air. The Mayor's here, the Police Chief is here, Fire Chief is here, the Service Director's here; and that's how you get something done, is come to the Council meeting and broadcast your problem. The Mayor will see to it that somebody comes out and takes a look at it. That's it, I'm done."

President Rich Balbier: "Thank you Mr. Frey. I like my job up here, only like Mrs. Brown said, unfortunately I have to enforce the rules. So I knew that Tom and I would be butting heads tonight, because I talked to him yesterday at length, and he has a lot of good ideas. So if you are in this position where you have an abandoned house on your street, you can talk to Mr. Adamski, I'm sure he'd be more than happy to give you his opinions. And I have always said this, when I was a police man, if you have good neighbors you're lucky. And I have the best neighbors in the world. I don't have this problem. But we used to go on plenty of calls. I remember one where the neighbor next door in the middle of the night went out and planted corn in the neighbor's front yard. Corn. We couldn't prove he did it, but we know when the little plants started coming up all over his lawn. I also would like to congratulate Peggy Palumbo; and I appreciate Mr. Dale Miller coming here. I was at that high school thing on Saturday night, it was really, really good. Like Kathy said, I was there in 1955 when I was 14 years old, and I kept getting asked all night long what was it like, and the only thing I remember about it is when Elvis came out there and started singing the girls just started screaming and falling in the aisles. And the guys, we didn't even look at him, all we were doing was looking at these girls falling in the aisle. And we were wondering what the heck does he have, you know? So that's what I remember about it. And like Greg said, this is our last Council meeting before the election. There's four seats up and there's eight people running, so please vote. Thank you. We'll now have the report from the Mayor."

Mayor Ken Patton: "Okay, thank you Rich. I'd like to thank our city employees, all employees who were involved in the United Way campaign. We won an award, presented as a Pacesetter award. 'Thank you for making Greater Cleveland a better place to live. We applaud your efforts and generosity for an outstanding Pacesetter campaign.' And the employee contributions were big, the award is small. But nonetheless, they're to be commended for a fantastic effort. Thank you to Linda Kelber who heads that effort for us. I got a letter from the Brooklyn Youth Hockey Association. 'Dear Sandy and the Brooklyn Recreation staff. The Brooklyn Youth Hockey Association would like to thank each and every employee of the Recreation Center for their hard work and dedication to our third annual Columbus Day tournament this past weekend. Every employee gave 100% this weekend, and it was definitely noticed. In past years we never received the service we received this year. Out of town teams were extremely impressed with the facility, the service and the tournament as a whole. Everyone had wonderful things to say and did not hold back voicing their satisfaction. We were extremely impressed with how smooth everything ran and how helpful your staff was. Sincerely, Will Hopkins and Michelle Alfin, tournament directors.' So congratulations to your staff Sandy, thank you. I know I did not get the packet in time, but I would like to add someone to the Domestic Abuse

Committee this evening. I interviewed Ruth Ann Scarborough, a Brooklyn resident. Ruth Ann, are you here? Okay. She's been a member of the Volunteer Corps since it began. The parent of two grown daughters, they have four grand-daughters, her husband's a retiree from LTV. She's a clinical nurse/coordinator/manager with 20-bed memory support unit, as well as a 30-bed long term care unit at Eliza Jennings. And Ruth lives on Brookhigh Drive. So I would like to ask Council confirmation of Ruth Ann Scarborough as a member of the Domestic Abuse Committee."

Councilwoman Pucci: "Move to approve."

Councilman Coyne: "Second."

Councilwoman Gallagher: "Second."

Councilwoman Brown: "Second."

Clerk Fisk: "To approve Mrs. Ruth Ann Scarborough for the Domestic Abuse Committee, Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"Tom Coyne."

"John Frey."

"Rich Balbier."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

Councilman Balbier: "Yea."

Mayor Patton: "Alright, thank you Ruth Ann for volunteering. We also had another volunteer, I just got the letter two days ago, Robin Lawrence also. So Robin, we will keep you in mind, and if another seat comes open we will definitely give you a call. I want to thank American Greetings for hosting our last Chamber luncheon. It was very interesting. Morry Weiss, their Chairperson, actually led the tour around, and it was very interesting. Our businesses are, one at a time, our major businesses are helping out our Chamber. Walking through, we had the Plain Dealer last month, and then American Greetings this month, and Key Bank is next month. So the Chamber is really getting going here. I too want to commend the Taking Care of Business, the 50th anniversary rock and roll reunion was very enjoyable. But after all the accolades came through, Denise Hudak and Kevin Corp did a fantastic job, and their entire committee did. But don't forget to thank the Brooklyn Chamber of Commerce who got together and sponsored the get together at Aces afterward, and all the entertainers came down and broke bread with just residents of Brooklyn and the people who put the show on. So it was very nice. Laurel Garden Club tea, they wanted to say thank you to everyone who attended, because it was their best turn out ever. And that was last Sunday. Don't forget we have, and Sandy maybe you can help me out in your report, I know there's an age limit on this, but Don't Get Tricked on Halloween is Friday, October 28th from 6:30 till 7:30, and I'm not certain on the age group, but Sandy can mention that in your report. It's what?"

Mgr. Balzer: "Up to grade three."

Mayor Patton: "Up to grade three. So it's an enjoyable time. And Halloween in Brooklyn will be observed on October 31st from 6-8 p.m. Not December 31st. That would be a heck of a time to go Halloweening, wouldn't it? Okay. We're going to host a public meeting at our Senior Center on November 3rd at 7 p.m. And we're going to go over the four Charter issues for the City of Brooklyn; there's also two County issues; there's one issue for precinct K, and that's Delora, Northcliff, Archmere, that area over there; and also there's State issues which have to be described. And any candidate running in Brooklyn who wishes to come before the microphone is entitled to three minutes. There will be no questions afterward. I believe our residents can meet you out in the crowd and find out what your platforms are. And good luck to all the candidates. And especially you folks, make sure everybody votes on November 8th. It's always the first Tuesday after the first Monday. So it seems a little later this year, but that's how the law's written. Mr. Adamski and all the fine people who came from Melody, you can tell Mr. Adamski is interested in the upkeep of his neighborhood. He did come before us with a petition a couple years ago pertaining to trees. And all the residents over there, they're beautiful homes. And what we have to do is pay attention to what's going on in our neighborhood, and we all must continue to communicate. Because what's going on, it's tough economic times, you have people leaving vacant homes, the money's not coming in, they're deciding are they going to

pay their heat bill or are they going to buy their medication. And things are that tough, and they're going to get tougher this winter especially. So pay attention to all the different programs available, not only the programs that our seniors are available to, but the programs that the state is coming up with. These are things that people need. And to our State Rep here tonight, Dale Miller, thank you for being here, but these are the things that people need. They need help with their heating, they need help with their medication. And these are things that just aren't going away. And it just seems like every day things get a little higher and higher, such as we sit here this evening... Our sewer bills will go up next year, our water bills will go up next year, that's already on the charts. So these are things, we have to watch how natural gas goes. Councilman Coyne mentioned that Dominion East Ohio was lowest on that list in Sunday's paper. The Volunteer Energy Services, which we are proposing, will be less than Dominion East Ohio Gas this winter. So that's why I urge you to sign up with that company. Moving on, a few things going on at the Senior Center. There's an art exhibit and sale. Art with Marian and Sandy's Ceramic Class has a show. And it'll be November 6th from 2-5 p.m. over at the Senior Center. There's some refreshments and everyone's welcome. There's a fall pancake breakfast November 13th from 9-1 over at the Senior Center. The cost is \$4, children under the age of six are free, and tickets are available at the center. Don't forget Election Day, we went through that. The polls are open from 6:30 a.m. to 7:30 p.m. Anyone needing transportation may call the Brooklyn Service Center, Senior Center rather, at 635-4222. And that is anyone. We will give you a ride if you need it. And unfortunately, for those at the Senior Center, bingo will be cancelled that day. The Senior Center will be closed on Veteran's Day, November 11th; Thanksgiving Day, November 24th, and also on Friday, November 25th. The Christmas lighting ceremony's going to be held on Friday, December 2nd at 7 p.m. right behind the Senior Center back here. And on Sunday the 4th we're going to have the old-fashioned holiday gathering where kids can come in from 4:30-6:30 and make crafts and also get their picture taken free of charge with Santa Claus. Again, HEAP applications, it's very important, especially since the State Legislature and the Governor freed up \$75 million to be distributed through the HEAP program. Anyone who may have problems, please get your application at the Senior Center. There are income guidelines that go along with that, and all the rules are spelled out in the application. But there's no harm in looking at it. A little note on snow plowing, remember senior driveways will be plowed after a four-inch snowfall has been confirmed. Please remember that all city streets and sidewalks will be clear before they start plowing driveways. Men's bocce ball, they need some more players over there, so if you can, get over there. And our blood pressure readings, Lutheran Hospital provides blood pressure readings every Tuesday from 1-2:30, and also our paramedics are over there on Thursdays. This one will be Thursday, November 10th from 10-11:00. And of course, if there's a medical emergency they take off and go to our medical emergency. We do have, we're deferring the fire fighters' contract until the following meeting. We're very happy about coming to a settlement. There are a few things that have to be worked out, and we hope that they're worked out before the next meeting. We will continue with making plans for other negotiations. That's my report."

President Balbier: "Thank you Mayor. We'll now have the directors' reports, and the first is the Finance Director, Mr. Fisk."

Director Fisk: "Thank you Mr. Balbier, I have no report this evening."

President Balbier: "Thank you Mr. Fisk. Next is the Service Department, Mr. Kappler."

Director Kappler: "Thank you Mr. Balbier, I have no report."

President Balbier: "Thank you. The next is the Building Department, Mr. Ockington."

Comm. Ockington: "Thank you Mr. Balbier, I have two items. First item is, due to the senior grass cutters being done for the season, the Building Department has retained the services of a lawn maintenance contractor to maintain vacant properties for the balance of the grass cutting season. And the second item, the City of Brooklyn has received correspondence from the Chief Magistrate at Cuyahoga County Common Pleas Court regarding vacant and abandoned foreclosed properties. Upon receipt of notification from the city that the property is having a negative impact on the neighborhood, the court will expedite the property through the foreclosure process. We've sent the court notifications on four properties and will review foreclosure cases and send approximately five more notifications this week. And that concludes my report."

President Balbier: "Thank you Mr. Ockington. Police Chief, Mr. Chief Murphy."

Chief Murphy: "Thank you President Albier, I do have a report tonight. A couple items. November 1st winter ban parking starts, and on the 31st of October, 6-8 is the Trick or Treat night, and there will be plenty of police out there to make sure all the kids are safe and are also behaving. And if anybody hasn't noticed, these flowers that have grown up all of a sudden on everybody's lawns, these signs that appear overnight, we've had a few complaints about people damaging and ripping and this kind of thing. So we're asking people to respect their neighbor's choices, and if somebody does do damages or whatever, at the very least they are trespassing on people's properties. So that's all I have."

President Albier: "Thank you Chief. Fire Department, Chief Duchoslav."

Chief Duchoslav: "Thank you Mr. Albier. Just one item, actually three items, have to do with grants the Fire Department received. The first was \$2,000 grant from Cuyahoga County for the Community Emergency Response Team. The Brooklyn Volunteer Corps, that was spent on training, training materials and equipment. And the next meeting for the Brooklyn Volunteer Corps will be Thursday, November 3rd on the other side of the Senior Center, the same time as candidates' night. The second grant was a \$4,000 grant from the Ohio Department of Public Safety. That is also for medical equipment and training. And the third is, our fifth in a row, the Assistance to Fire Fighter Grant for over \$70,000. And that completes my report."

President Albier: "Thank you Chief. Next is the Law Department, Mr. Shaper."

Director Shaper: "I've said too much already."

President Albier: "That's correct, you have. And last is the Recreation Department, Sandy Balzer."

Mgr. Balzer: "Thank you Mr. Albier. I just want to touch on a couple of things. We did have extra people sign up for the learn to skate and the learn to swim programs, we did add an extra level two course of the learn to swim; so if we have any people overflowing now, we have gotten them into the swim classes. In regards to the learn to skate, we've filled all of our slots on the ice. As we know, it's coming to be the very busy season of hockey season. And I wanted to let everyone know up front that the Greater Cleveland High School Hockey Association, they met about the league, the admission rates for the gate fees, and Holy Name, St. Ignatius, Olmsted Falls and Brooklyn all agreed the adult gate fee will raise \$1, but the student...and so that'll be \$6 at the gate, and the students will be the same as last year, which is \$3 at the gate. One other thing, Marquardt Park, the water won't be turned off until after the soccer season is done, which is after this weekend, so on November 1st they'll be turned off. And I just want to reiterate that the Halloween safety event is this Friday, and it's for pre-schoolers, from resident children pre-school through grade three. And flyers went out to all the schools the week of October 12th. And in getting ready for the hockey season we did send out our Zamboni, and we are back to two Zambonis and we're up and running. And we're also getting a new compressor motor for the rink. And we are in the tail end stages of having security cameras installed for the outdoor parking lots and interior, some of the interior of the facility, the hallway in front of the locker rooms. Not to worry, not in the locker rooms. And by the front desk, and near the concession stand; so there'll be security cameras around the facility. And this was urged on by the Mayor. And our team here at the city, it's priority for all the Recreation Center users to keep safe and continue to have everybody come to the Rec Center. On a side note, I just wanted to say I came from the Cuyahoga County Board of MRDD before I worked for the City of Brooklyn, and I want to urge everyone to vote yes on Issue 7. As Greg said, the doors would close January 1 if this does not pass. They count on this funding, so it's very important to serve all the residents with disabilities in Cuyahoga County for this issue to pass. Thank you, that's my report."

President Albier: "Thank you Sandy. Next, if anybody in the audience has any remarks they want to make on the legislation on the agenda tonight now is the time to come forward. If not, we'll move on. And the first if **RESOLUTION #2005-16**. A Resolution authorizing the Mayor to enter into a contract with the District Board of Health of Cuyahoga County for health services for the year 2006. Can I have a motion?"

Councilwoman Pucci: "I move we amend 2005-16 in Section 1, the sixth line down, by striking 2005 and inserting 2006."

Councilman Coyne: "Second."

Clerk Fisk: "To amend Resolution 2005-16, Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."

Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Brown: "Second."

Clerk Fisk: "To suspend the rules, Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."

Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."

Clerk Fisk: "To adopt, Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."

Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."

President Albier: "Next is **ORDINANCE 2005-39**. An Ordinance authorizing inter-fund transfers and advances during 2005."

Councilman Coyne: "Introduced by all, suspend the rules."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To suspend the rules, Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."

Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."

Clerk Fisk: "To adopt, Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."

Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."

President Albier: "Next is **ORDINANCE 2005-40**. Authorizing the Mayor of the City of Brooklyn to enter into a contract with the International Association of Fire Fighters Local 1145. And the city has requested that we table this, but I need a motion to table Ordinance 2005-40."

Councilman J. Frey: "Move to table."

Councilwoman Pucci: "Move to table."

Councilman Coyne: "Second."

Councilwoman Brown: "Second."

Clerk Fisk: "To table Ordinance 2005-40, Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."

Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."

President Albier: "Does any Councilman or the Mayor have anything else they wish to bring before Council this night?"

Councilwoman Pucci: "May I be recognized for a second?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "I just have two quick items that I forgot to mention before. The first is, I've heard the question twice now, why didn't members of Council attend neighborhood meetings. And just to let the residents know, I wasn't there because I was not invited. Apparently at at least two meetings, some residents were under the impression that Council was invited, so they just assumed we didn't show up. So that is not the case. The second thing is, this weekend we change our clocks, so just a reminder to also change the batteries in your smoke detectors and CO detectors. And we do have batteries at the Fire Station Paul?"

Chief Duchoslav: "Yes we do. And new smoke detectors..."

Councilwoman Pucci: "And smoke detectors. And if any seniors need assistance in changing the batteries you can contact the Fire Department and they will assist."

Chief Duchoslav: "Absolutely."

Councilwoman Pucci: "Correct? Okay. And also, Mssrs. Kappler and Ockington, I just have one real quick thing after the meeting for you, thank you."

Councilman J. Frey: "I move we adjourn."

Councilwoman Brown: "Mr. Albier."

President Albier: "Just a second. Yes Mrs. Brown."

Councilwoman Brown: "I have to agree with Kathy Pucci. I was shocked to find that my neighboring street, Northcliff, which I am very actively working with most of the time, found out the day afterwards they had a neighborhood meeting that I had not been invited to. I didn't quite understand that until I got a couple of calls from a couple of residents, and they said, Rita, why weren't you there, you show up at everything. Well, I wasn't invited. That's all I have to say."

Mayor Patton: "Mr. Albier, may I?"

President Albier: "Yes Mayor."

Mayor Patton: "The Northcliff Avenue Neighborhood Coalition, Mr. Ivan Dockery on Northcliff, invited me to his front porch with his neighbors from his neighborhood, and I will go to any neighborhood that the Mayor invites me to, that the people invite me to, and I will show up and I will talk to every person there about things that are going on. So if you want a neighborhood meeting, call my office, we will definitely be out to see you. If you want Councilpeople to come, you should call them. Thank you."

President Albier: "Thank you Mayor. Anyone else? Okay John."

Councilman J. Frey: "I might say something, but I forgot."

Councilwoman Pucci: "Move to adjourn."

Councilman Coyne: "Second."

Councilman J. Frey: "I move we adjourn."

Clerk Fisk: "To adjourn, Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."

Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."

Meeting adjourned at 8:35 p.m.

Clerk of Council

M A Y O R